

From: Eugene Sinigalliano <gene@ultrasoundampsales.com>

Sent: Thursday, June 17, 2021 3:19 PM

To: Green, Gabriella (ESD) <Gabriella.Green@esd.ny.gov>

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Subject: From Eugene Sinigalliano - Resident Advisor CACWG - Empire State Development's Empire State Complex Neighborhood Conditions Study Comments

Importance: High

Dear Gabriella,

As I told ESD's CACWG at the first meeting there are gross inaccuracies in Empire State Development's Empire State Complex Neighborhood Conditions Study. On the title page the study is dated February 2021 but the information and pictures of our building are not current or accurate. **ESD should at least be required to present accurate and honest information to the officials who will decide if our building and others on block 780 will be torn down.** It is deceiving if ESD is knowingly using the totally inaccurate Empire State Complex Neighborhood Conditions Study that portrays our building 251 West 30th Street in poor condition. **ESD must obtain and present up to date and accurate pictures and information on 251 West 30th Street and the other buildings on block 780.**

251 West 30th Street was purchased from Justin Tower LLC by 251 West 30th Owner, LLC whose principals are Michael Reid and Gerard Nocera, two of the founders of Herald Square Properties and now principals of HSP Real Estate Group. 251 W 30th was purchased on 04/30/2016 for a reported \$50,450,000. Since that time and still underway the owners of 251 have spent several million dollars more to renovate and modernize the building. This is easily proven by just looking at the very large amount of NYC DOB building permits for 251 from 04/30/2016 to present and what they were issued for. In addition, I am attaching pictures of the building that I took to show how the building's condition really is. Just below is a link to the DOB website for our building so you can see all the building permits issued for this multimillion dollar renovation.

<http://a810-bisweb.nyc.gov/bisweb/PermitsInProcessIssuedByBinServlet?requestid=2&allbin=1014338>

I have copied the two pages from ESD's Empire State Complex Neighborhood Conditions Study – Appendix 1, Page 1-43 and 1-44: Lot Profiles that have information and photos of 251 West 30th. This email will show how inaccurate the study is pertaining to the condition and appearance of our building. Much of the information and the pictures are completely out of date which should not be the case when the study boasts a date of 02/2021 on the title page. The appendix uses pictures of 251 West 30th while it was in the middle of the massive multimillion dollar modernization and renovation but does not have any pictures of completed areas of the building. The appendix is neither accurate or up to date and rates our building in poor condition. This is totally false and I will prove it.

It is important to note that the scaffolding which is installed at our building is per DOB regulations for the safety of the public while the renovations are being completed. In addition, even though the renovations are taking longer than originally planned because of the Covid 19 Pandemic, much of this massive renovation and modernization of our building has been completed including many of the building's floors into open concept, full floor, modern high tech office spaces. Finally, the building has a newly renovated high end restaurant on the ground floor and on the lower level there is a large newly built business tenant lounge, café and other amenities for the building tenants.

The ESD's study portrays our building in poor condition and in disrepair. I believe from reading the full Empire State Complex Neighborhood Conditions Study that this is an attempt to justify why our building and other building on block 780 are not worth keeping and deserve to be torn down. This is also false and inaccurate. I am only going to prove how inaccurate the Study is for 251 West 30th Street but I have examined other buildings on our block 780 and they also have massively inaccurate and out of date

information and pictures portraying the buildings in poor condition. Even the Homeless Center next door to our building has been renovated with a new front and entrance that is not shown on the study.

Here is the inaccurate information and pictures ESD's Empire State Complex Neighborhood Conditions Study has for 251 West 30th Street.

ESD's Empire State Complex Neighborhood Conditions Study – Appendix 1, Page 1-43 and 1-44: Lot Profiles that have information and photos of 251 West 30th.

[Empire Station Complex Neighborhood Conditions Study](#)

Block 780, Lot 10

Location, Use, Zoning, and Ownership

Lot 10 is located at 251 West 30th Street between Seventh Avenue and Eighth Avenue. The 7,406-sf lot is improved with a 16-story, 104,199-gsf building listed as a commercial and office building under MapPluto. However, it is also listed as Interim Multiple Dwellings (IMDs) under the Loft Law, the purpose of which is to bring buildings that were illegally converted to residential uses into compliance with state and city housing laws relating to health, safety, and fire protection, and is a legal non-conforming use. Lot 10 is located in a M1-5 zoning district, which permits a maximum manufacturing FAR of 5.0, commercial FAR of 5.0, and community facility FAR of 6.5. The building was constructed in 1927 and was last renovated in 2017. It is owned by 251 West 30th Owner, LLC.

Visual Assessment of Building and Site Conditions

Lot 10 contains a 16-story building, with retail and an office lobby at the street level and office space on upper levels. One of the retail stores appears to be under construction. The façade consists of tile, metal, and glass storefronts on the ground floor and a combination of brick, stucco, and stone on the upper floors. The lower façade is covered with scaffolding. The exterior wall is in critical condition; glass tiles are severely cracked, and sections of the steel structure are both unprotected and heavily corroded on the lower levels. The upper levels show moderate staining. The metal doors are intact but corroded. Some windows are missing, cracked, and boarded with wood panels. The sidewalk is in fair condition, showing minor cracking, staining, and debris. The ground floor entrances to the lobby and retail stores show no barrier to accessibility. Overall, the building and site conditions were given a rating of poor condition.

Open Building Code Violations

Lot 10 has six open building code violations. Four of the six violations were issued by the ECB and relate to construction, one of which was for submission of a form containing false statements that created a hazardous condition. The remaining two violations were issued by DOB. One relates to failure to address the ECB violation pertaining to false statements made in a form submitted to DOB while the other is related to the building's boiler. Each of the six open violations were issued between 2019 and 2020.

Site Utilization

It is unclear if Lot 10 conforms to zoning, given the above land use information. However, the building on site uses 216 percent of the maximum allowable floor area under the M1-5 district.

Environmental Concerns

There is potential for fuel oil tanks located at this property, as indicated by DOB records. According to records provided by FDNY, this property is registered with one 6,000-gallon No. 4 fuel oil tank that was abandoned in 1985. Further, Lot 10 was issued one violation notice in 2020 for failing to provide extinguishers and failing to maintain the fire suppressant system. Five violation orders were issued between 2019 and 2020 for not having a Fire Safety Director on-duty, lacking a fire safety plan or a functioning fire alarm. In addition, no records were maintained by DOHMH.

1-43 Appendix 1: Lot Profiles

Empire Station Complex Neighborhood Conditions Study

Figure 1-23 Block 780, Lot 10 Photographs

View of facade View facing north on West 30th Street

View of façade left of entryway View facing north on West 30th Street





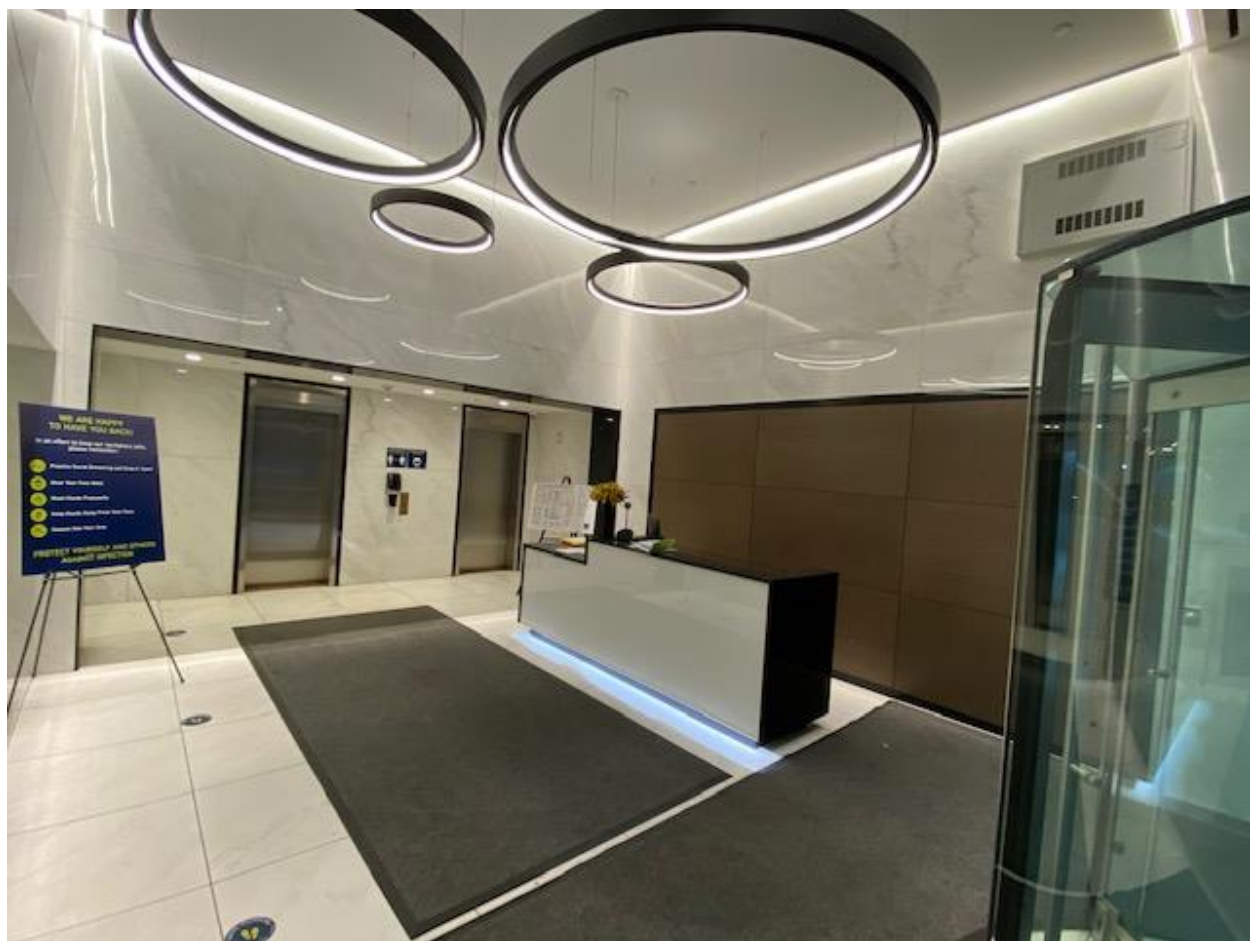


1-44 Appendix 1: Lot Profiles

In response to ESD's gross inaccuracies and possible deceitful portrayal of 251 West 30th street I have documented the real condition of our building.

This is our all new lobby at 251 West 30th Street which has been completed for over 1 year – Does this look like a building that should have received a rating of poor condition? Walls and floors of white marble with black granite accents, dark wood and stainless steel that coordinate in a modern way with our Art Deco style building built in 1929.







Our new building lobby has an energy efficient rotating center door and two side locking swing doors with electronic card access for tenant security.



Our building has two newly rebuilt passenger elevators in the front lobby and a completely new automatic freight elevator in the back lobby. Note our building has all Covid safety requirements in place including signage, sanitizing stations, posted floor directions, etc.





Our newly rebuilt passenger elevators are also white marble, dark wood and stainless steel and requires a tenants electronic security card to access their specific floor.





The front of our building with white glass entrance side walls and dark tile outside entrance floor.



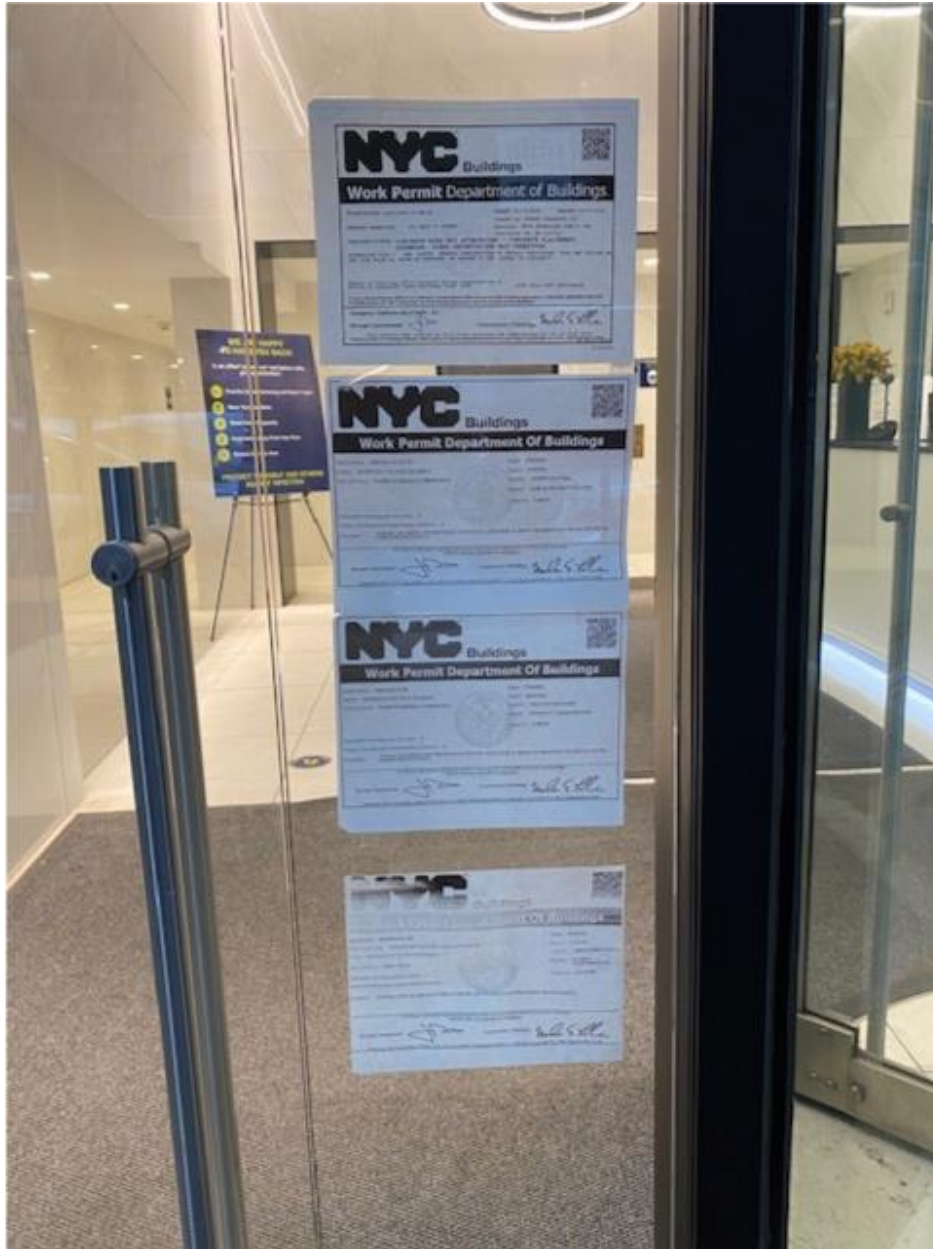
The front of our building showing the 3rd floor and above. Note all the windows on the 4th floor have been replaced with all new windows. There are no windows missing, cracked or boarded as stated in ESD's study and shown in their dated picture. The picture in the study showing that was over two years old and was taken while the 4th floor was under demolition. Also note the beautiful Art Deco detail and upper floors step back design that allows more natural sunlight to lower floors and the street.



A picture of the left front side of our building entrance showing white glass with no cracks. In the ESD Study they stated" *The exterior wall is in critical condition; glass tiles are severely cracked*" and they showed a picture of the cracked white glass. It is important to know that the cracked glass on the entrance in their picture was from a fire started by a homeless person from the Homeless Center next door that cracked all the glass from the fire's intense heat. This fire is document by the NYFD who responded and the cracked glass was replaced with new glass a long time ago. Again ESD's study and pictures are not accurate for a study with a date of 02/2021.



A picture of one front door with current building permits that are still ongoing for our building's multiyear – multimillion dollar modernization and renovation.



Energy efficient rotating front door and right side of entrance with electronic key card access for tenant security





HSP Real Estate Group plaque on the building – the company who owns our building **251 West 30th Owners LLC** is part of HSP who has been doing this multiyear, multimillion dollar renovation and modernization of 251West 30th.



Our whole building has a brand new “state of the art” Fire Alarm system that ESD’s study does not even mention.



Some of the beautiful original brass Art Deco details of our building.



I stated this earlier and in closing I am repeating it because our lifelong homes are at stake: **ESD should at least be required to present accurate and honest information to the officials who will decide if our building and others on block 780 will be torn down.** It is deceiving if ESD is knowingly using the totally inaccurate Empire State Complex Neighborhood Conditions Study that portrays our building 251 West 30th Street in poor condition. **ESD must be required to obtain and present up to date and accurate pictures and information on 251 West 30th Street and the other buildings on block 780.** We at least deserve that.

Please let me know you have received this email.

With respect and gratitude,

Eugene Sinigalliano

President - [251 West 30th Street Residential Tenants Association](#)

Beautification Director of the Midtown South Community Council

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